



Utility Companies & 105 IAC 13



Joe Gundersen

Senior Utility Engineer

INDOT



PRESENTATION ORGANIZATION

- Introduction
- Before the work plan
- Preparing the work plan
- Performing the work plan
- Reimbursable agreements
- Conclusion



Introduction

- The purpose of this meeting is to:
 - Inform you of the new rules 105 IAC 13
 - Provide background info on the rules
 - Clarify the process stated in the rules
 - State the utility deliverables from the rules
 - Review agreements



Introduction

- The New Rules 105 IAC 13
 - Codified an existing process
 - Utility Facility Relocations on Construction Contracts
 - Purpose is to help INDOT manage the right-of-way of the state highway system
 - Effective after June 20, 2008



Introduction

- What Projects Are Covered
 - Projects with letting dates before 6/30/2009 will not be covered under the new rules
 - Projects with letting dates after 7/01/2010 will be covered under the new rules
 - Projects with letting dates between 6/30/2009 and 6/30/2010 we will review on case by case basis
 - Exceptions may exist



Introduction

- Reason For The New Rule
 - Change – more utilities on a project
 - Change – higher cost of construction
 - Change – new spec., money not time
 - Change – increasing cost of delays
 - Change – avoid relocating facilities



Introduction

■ Solution

- Utility Relocation Task Force
- Members: Utilities, Construction, INDOT, Consultants, FHWA
- Report Title: Solutions for Reconstruction of Hoosier Highways
- Subtitle: Accountability, Communication, Cooperation, Coordination



Introduction

- New Plan Development Process
 - Project Managers assigned to all projects
 - Utility Coordinator is responsible for:
 - Utility relocation coordination including
 - Sending letters
 - Receiving letters
 - Reviewing work plan



Introduction

- Definitions
 - Authorized Representative
 - Facility
 - Facility Relocation
 - Improvement Project
 - Utility
 - Work Plan



Introductions

- Definitions – continued
 - Letting Date
 - Ready for Contracts Date
 - Utility Coordination Complete Date



Before The Work Plan

- Authorized Representative Information
 - Name
 - Street address
 - Mailing address
 - Phone number
 - Fax number
 - Email address
 - Visit website <http://www.in.gov/indot/6790.htm>
 - Or fax information on form to 317-233-3055



Before The Work Plan

- INDOT/LPA will determine utilities with facilities within geographical limits
 - Research permit files
 - Review map files
 - Investigate field conditions
 - Review info from Indiana 811
 - Contact local government offices



Before the Work Plan

- INDOT/LPA will send Initial Notice
- Utility responds within 30 days
- Utility deliverable is:
 - Respond in writing
 - Description of type and location or
 - Statement no facility in geographical limits
 - Designated Contact information



Before the Work Plan

- Designer/Surveyor contact Indiana 811
- Request utility to locate facilities
- Utility deliverable is:
 - Facilities marked within limits of ticket or
 - Other mutually acceptable format to exchange this information



Before the Work Plan

- INDOT/LPA requests verify facilities
- Utility responds within 30 days
- Utility deliverable is:
 - Review accuracy of your facility location
 - Respond in writing
 - Declare information accurate or inaccurate
 - Detail any inaccuracies



Before the Work Plan

- INDOT/LPA requests identify conflicts
- Utility responds within
 - 30 days for minor projects
 - 60 days for major projects
- Utility deliverable is:
 - Review preliminary project plans
 - Respond in writing
 - Declare there are or are not conflicts
 - Detail any conflicts/recommend design changes



Preparing the Work Plan

- INDOT/LPA requests a work plan
- Utility responds within:
 - 60 days for minor projects
 - 120 days for major projects
- Utility deliverable is:
 - The Work Plan



Preparing the Work Plan

- General Information (not in rules)
 - INDOT/LPA Project Information
 - Des. No.
 - Route number
 - Location
 - Work type
 - Date work plan needed



Preparing the Work Plan

- General Information (not in rules)
 - Utility Designated Contact Information
 - Person name
 - Office telephone
 - Mobile telephone
 - Email address
 - Agency name
 - Agency address



Preparing the Work Plan

- General Information (not in rules)
 - INDOT/LPA Utility Coordinator Information
 - Person name
 - Office telephone
 - Mobile telephone
 - Email address
 - Agency name
 - Agency address



Preparing the Work Plan

- Description of Facility Relocation
 - Describe types of existing facilities
 - Describe location of existing facilities
 - Describe disposition of existing facilities
 - Describe new facilities to be installed
 - Describe location of new facilities



Preparing the Work Plan

- State whether the facility relocation is or is not dependant on:
 - Work by another utility
 - Work by INDOT or Contractor
 - Acquisition of right-of-way
- With a description of that work



Preparing the Work Plan

- With a description of that work.
 - Right-of-way land acquisition complete
 - Stake proposed right-of-way
 - Existing obstructions to be removed
 - Another Utility to install equipment
 - Approval by INDOT to start relocation
 - INDOT to let the project as scheduled



Preparing the Work Plan

- State whether the utility is or is not willing to allow the contractor to do the required work in the highway contract.
 - Water - frequently yes
 - Sanitary - frequently yes
 - Others – as wanted



Preparing the Work Plan

- The earliest date when the utility could begin to implement the work plan.
- The number of calendar days to complete the required work.



Preparing the Work Plan

- The expected lead time in calendar days to:
 - Obtain any required permits
 - Obtain materials
 - Schedule work crews
 - Obtain necessary additional right-of-way



Preparing the Work Plan

- A drawing of sufficient detail and scale to show the proposed location of facility relocation
 - INDOT/LPA plans as background
 - Same scale as INDOT/LPA plans



Preparing the Work Plan

- Details required on drawing
 - All facilities clearly marked
 - Old facilities to remain so note
 - Old facilities to abandon mark with "X"
 - New facilities; station, offset, elevation
 - New facilities; described type
 - New facilities; describe install method



Preparing the Work Plan

- INDOT/LPA shall review the work plan
- Notify utility if plan is not
 - Reasonable
 - Compatible
- Revised work plan within 30 days
- Alternative work plan within 30 days
- Adopt a final work plan



Preparing the Work Plan

■ Revisions

- Before the letting date if the project plan is revised and additional relocation required
 - INDOT/LPA provide revised plan
 - INDOT/LPA identify changes to plan
 - Utility provided revised plan w/in 60 days



Preparing the Work Plan

- Revisions – continued
 - After the letting date additional facility relocations are required
 - INDOT/LPA notify utility need expedited plan
 - More than one year has passed since INDOT/LPA adopted the final work plan
 - Utility may submit a new relocation plan
 - INDOT/LPA may require use approved plan



Performing the Work Plan

- Utility Deliverable is:
 - A relocated facility within the time limits provided in the approved work plan



Performing the Work Plan

- INDOT shall notify the utility to start the work plan 30 days before required
 - Notice to proceed
 - Permit
- Utility responds within 15 days
- Utility deliverable is:
 - Respond in writing
 - Acknowledge the notification



Performing the Work Plan

- If an approved work plan is dependent on work by the Contractor -
 - Contractor shall notify the utility not less than 15 days before contractor's work is expected to be complete and ready for the utility
 - Follow up with confirmation notice to the utility 5 days before the contractor's work is expected to be complete and ready for the utility



Performing the Work Plan

- Utility deliverable is:
 - Notify District Contact and the Contractor (if identified) 5 days before beginning field work
 - Notify District Contact and the Contractor (if identified) when the work is complete
 - May be verbal but confirmed in writing within 5 days of starting work



Reimbursable Agreements

- INDOT requests utility to sign reimbursable agreement
- Utility deliverable is:
 - Signed agreement
 - Cost estimate
 - Easement documents



Reimbursable Agreements

- Basis for reimbursement
 - On easement
 - Interstate project
 - Extraordinary cost



Reimbursable Agreements

- Types of agreements
 - Standard
 - Extraordinary Cost
 - Subordination Agreement



Reimbursable Agreements

- Cost estimate must be itemized
 - Reference 23 CFR 645
 - Labor (utility forces, contract forces)
 - Materials
 - Equipment
 - Engineering (preliminary, construction)
 - Burdens (overhead, surcharges)



Reimbursable Agreement

- Betterment must be identified
 - Anything more than replacement in kind
 - Exceptions
 - Improvements to current industry standards
 - Less expensive alternative



Reimbursable Agreements

- Miscellaneous items
 - Use name registered w/ Secretary of State
 - Affidavit of funds availability if work included in contract or extraordinary cost



Conclusion

- Introduction
- Before the work plan
- Preparing the work plan
- Performing the work plan
- Reimbursable Agreements
- Conclusion



Conclusion

- Questions?

